

### **REMARKS**

In a Notice of Non-Responsive Amendment, the Examiner alleges that the amendment filed on May 10, 2002, to remove Figures 10 and 12 from the specification is non-responsive because no explanation for removal of the drawings from the specification was provided, such an amendment to the specification therefore constituting an issue of new matter.

Applicants wish to reinstate Figures 10 through 12. Figures 10 through 12 have been amended to add sequence identifiers (SEQ ID NO:). Applicants assert that the adding of sequence identifiers does not constitute new matter. Figures 13, 14 and 15, which had been renumbered as Figures 10, 11 and 12 respectively in a prior Response, have been amended to restore the original numbering. A sequence listing complying with the rules is submitted with this amendment and response.

The previously filed response dated August 4, 2003 had an incorrect set of attached figures.

The specification has been amended to reinstate the paragraphs and instances in which Figures 10 through 12 were mentioned in the original specification as well as to reinstate the numbering of the figures as originally filed. Because the Figures and currently added paragraphs were presented in the originally filed application, Applicants assert that no new matter is presented by these amendments and respectfully request entry of the same.

### **CONCLUSION**

For these reasons, Applicants believe all pending claims are now in condition for examination. If the Examiner feels that a telephone conference would in any way

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expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 731-5000.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 01-0431.

If the Examiner has any questions pertaining to this application, the Examiner is requested to contact the undersigned.

Respectfully submitted,

*Leticia R. Block*

Leticia R. Block  
Reg. No. 50,167

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Customer No.: 22886  
Legal Department  
Affymetrix, Inc.  
3380 Central Expressway  
Santa Clara, CA 95051  
Tel: 408/731-500  
Fax: 408/731-5392